

**Fitch, Even, Tabin & Flannery***Intellectual Property Law*

1801 K. Street, NW, Suite 401L

Washington, D.C. 20006

Phone: (202) 419-7000 Fax: (202) 419-7007

RECEIVED
CENTRAL FAX CENTER

JAN 06 2004

TELECOPIER COVER SHEET**Client/Matter Nos: 7372/72157****Date: January 6, 2004**

The transmission that follows totals 6 pages, including this cover sheet. Please deliver immediately to the following:

Attn: Examiner Herbert J. Lilling
Art Unit 1651

Fax: 703 872-9307

Re: U.S. Application No. 09/964,767
WATANABE et al.

This transmission is being sent by Kendrew Colton, please call (202-419-7000) if there is a problem with this transmission.

COMMENTS:

CERTIFICATE OF FACSIMILE: I hereby certify that these papers (Transmittal and Amendment) are being transmitted via facsimile to: Commissioner of Patents, Washington, D.C. 20231, Attn: Examiner Lilling, on this day of January 6, 2004.

Kendrew H. Colton, Reg. No. 30,368

This transmission with its attachments is intended for the use of the individual or entity to which it is addressed, and may contain information that is **PRIVILEGED & CONFIDENTIAL**. If you are not the intended recipient and have received this transmission in error, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. Please notify the operator immediately by telephone and mail the original telecopier message back to us. We will reimburse your first-class mail costs.

FORM PTO-1083

PATENT

Attorney Docket No. 7372/72157

In re Application of: WATANABE et al.
 Application No. 09/964,767
 Filed: September 28, 2001
 For: FABRIC PROTECTANT AGAINST PESTS

Commissioner for Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window, Mail Stop **Non-Fee Amendment**
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, VA 22202

January 6, 2004

Sir:

Transmitted herewith is a response to the Office Action in the subject application.

☐ small entity status of this application under 37 CFR 1.27.**DUE DATE: February 26, 20053****Petition For Extension Of Time**☐ for an -month extension of time under 37 CFR 1.136, the fee of \$0.00 is enclosed.

☒ petition for an extension of time is **NOT** necessary. However, to the extent that such petition is deemed necessary, for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 06-1135 for the appropriate petition fee.

☒ No additional claim fee is required.☐ Other:

The claim fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
					RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	5	MINUS	21	0	x 9=	\$	x 18=	\$00.00
INDEPENDENT	1	MINUS	3	0	x 40=	\$	x 86=	\$00.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM					+ 135=	\$	+ 290=	\$
					TOTAL	\$	TOTAL	\$00.00

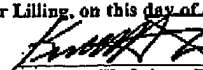
☐ Please charge my Deposit Account No. 06-1135 under Order No. in the amount of \$00.00. A duplicate copy of this sheet is attached.☐ A check in the amount of \$0.00 is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is attached.

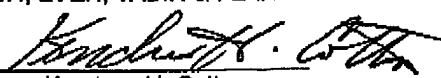
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

CERTIFICATE OF FACSIMILE: I hereby certify that these papers (Transmittal and Amendment) are being transmitted via facsimile to: Commissioner of Patents, Washington, D.C. 20231, Attn: Examiner Lilling, on this day of January 6, 2004.


 Kendrew H. Colton, Reg. No. 30,368

Respectfully submitted,
 FITCH, EVEN, TABIN & FLANNERY

By: 
 Kendrew H. Colton
 Registration No. 30,368

Fitch, Even, Tabin & Flannery
 1801 K Street, N.W.
 Suite 401L
 Washington, D.C. 20006-1201
 Telephone No. (202) 419-7000

RECEIVED
CENTRAL FAX CENTER

JAN 06 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/964,767 Confirmation No.: 3286
Applicant : WATANABE et al.
Filed: : September 28, 2001
TC/A.U. : 1651
Examiner : Herbert J. Lilling
Docket No. : 7372/72157
Customer No. : 22242

CERTIFICATE OF FACSIMILE: I hereby certify that these papers (Transmittal and Amendment) are being transmitted via facsimile to: Commissioner of Patents, Washington, D.C. 20231, Attn: Examiner Lilling, on this day of January 6, 2004.


Kendrew H. Colton, Reg. No. 30,368

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Non-Fee Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

January 6, 2004

AMENDMENT

Dear Sir:

In response to the Office Action of November 26, 2003, please amend the above-identified application as follows:

- (1) Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- (2) Remarks begin on page 3.